

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
April 19, 2012**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Suellen Soucek, Carey Baxter, Joan Martin, Greg Thury, Larry Whalen (6).

Town Plan Commission Members Absent: Charles Brummer (1).

Public Present: Mike Starck, Paul Brummer (2).

Town Staff Members Present: Jen Croonborg-Murphy, ZA, Margaretta Kusch, ZCA (1).

I. Call to Order/Roll Call

Chair Pallas called the Meeting to order at 4:31 PM at the La Pointe Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Special Monthly Meeting, April 5, 2012

G. Thury moves to approve as submitted the Town Plan Commission Special Monthly Meeting minutes of April 5, 2012. S. Soucek seconds. All in favor, 5 aye, 1 abstain (S. Soucek). Motion carries.

IV. Zoning Administrator's Report

On file.

V. Consideration and/or Action of Permit Applications

None.

VI. New Business

a. Zoning Ordinance interpretation re: LZ-1 uses- Aircraft/Airplane Hangar

It has been noted that there's a typo in Section 16.3: Aircraft/Airplane Hangars are listed as conditional uses in the LZ-1 zone although in Sections 3.13 and 6.3.A it is a designated permitted use. It's agreed that this typo should be changed (from a conditional to a permitted use) in Section 16.3 when a list of text changes is next compiled.

Chair Pallas moves that Aircraft/Airplane Hangars are interpreted to be a permitted use, and this should be put on the list of text changes to be made to the Zoning Ordinance in the future. S. Soucek seconds. All in favor, 6 aye. Motion carries.

b. Proposed joint meeting with the Town Board: discuss possible meeting dates

It is agreed to suggest a meeting date of Thursday, May 3rd, at 4:30 to the Town Board.

c. Discuss process of updating Technical Memorandum #3 subdivision regulations for the Town of La Pointe

The Zoning Administrator will put together a packet of information, including the subdivision ordinance and Wisconsin Act 170, for the commissioners to review. It's agreed that there should be a series of workshops scheduled to focus on this issue, and that the Town Foreman should be involved in the updating process. Chair Pallas recalls the last update taking about three or four meetings to complete, and

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the Town Plan Commission agree that this process should either take place soon or in the fall, to avoid the tourist season.

d. Discuss 2011 Wisconsin Act 170

This Act was enacted April 2, 2012 by the state. The Act pertains to non-conforming structure regulations statewide in relation to Shoreland zoning standards and nullifies local zoning requirements that prevent non-conforming uses to be expanded, etc. Both Ashland County and La Pointe Zoning will be affected by this Act.

The Zoning Administrator asks Mike Starck whether the County Zoning Board has discussed this yet. He responds that they haven't, that their next meeting is on May 3rd.

The Town Plan Commission agree that it's best to wait and see how the County responds to the Act.

e. Zoning Ordinance interpretation: is a greenhouse a minor accessory structure?

The Zoning Administrator notes that in the past, greenhouses have never required a permit. She asks the Town Plan Commission for help in determining whether greenhouses should be considered minor accessory structures or just accessory structures.

C. Baxter feels that greenhouses under 100 square feet would certainly be minor accessory structures. The other commissioners agree.

A discussion ensues regarding larger greenhouses. Chair Pallas feels that there are instances where greenhouses could be considered permanent structures-those that are on slabs, with poured walls, etc. It's also agreed that if the greenhouse is attached/built onto a house or other existing structure, then it's more of a lean-to and an addition in many cases.

It's agreed that this issue should be revisited when the list of text changes to the Zoning Ordinance is next discussed.

VII. Old Business

a. Parking in C-1 Zone as it pertains to Greg Thury motion at 2012 Annual Town Meeting

The motion looked for more compromise between the Town and Middle Road businesses regarding parking. Chair Pallas feels that the Town Plan Commission already compromised on the issue at the last Special Monthly Meeting.

The Zoning Administrator states that grievances should at this point be brought before the Board of Appeals.

b. Application for Multiple Family Dwelling: review and possibly approve draft

The Zoning Administrator asks for guidance as to whether a permit is required for every rental unit in a Multiple Family Dwelling, or just one for the entire building and how to enforce this. The Town Treasurer currently levies one accommodation tax per building, not per unit. However, there are inconsistencies on the island, with some Multiple Family Dwellings permitted per building and others permitted per unit.

C. Baxter feels that one permit should be issued per Multiple Family Dwelling, not per unit.

L. Whalen agrees, and suggests that the Towns Association (of Wisconsin) should be asked about the issue and about renters' rights. The Zoning Administrator will do this.

VIII. Future Agenda Items

- **Technical Memorandum #3 subdivision regulations for the Town of La Pointe**
- **Zoning Ordinance interpretation: is a greenhouse a minor accessory structure?**
- **Application for Multiple Family Dwelling: review and possibly approve draft**

IX. Schedule Future Meetings

- Town Plan Commission Special Monthly Meeting to be held Thursday, May 3, 2012, after the joint meeting with the Town Board at 4:30.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:30 pm.

Town Plan Commission minutes respectfully submitted by Margareta Kusch, ZCA on Monday, April 23, 2012.

Town Plan Commission minutes approved as amended by M. Kusch, ZCA on Thursday, May 03, 2012.